

# THE MORAL ADVOCATE.

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*"On Earth peace, good will towards men."*

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## MILITIA FINES.

Although this subject has excited considerable attention, both with the public, & in the legislature, yet it is very far from having received that correction which it demands. Two successive sessions of the Legislature of this State, have spent considerable time in digesting and preparing a militia system, without the defects which had been found in those heretofore adopted.

Among the different objects that were brought into view, it was attempted to place conscientious persons on fairer grounds than had been assigned them before. A disposition of tenderness towards such persons, has certainly been manifested in the state legislature, and indeed among the community at large. That dark, uncharitable era, in which mankind were divided into sects, and their feelings of sympathy, charity and even justice, were circumscribed by those sectarian distinctions, is principally passed over. And it begins to be understood among the different denominations of christians, that though they may differ on some points of doctrine or discipline, yet one is there master, even Christ, and all they are brethren. Men begin to apply the *golden rule* of doing to others as they would that others should do to them. And when the property, the rights or the happiness of their neighbors in any degree lies at their mercy, they begin to appeal to their own feelings—how they would *feel and wish*, were they in a similar situation. Every thing of persecution becomes abhorrent,

when tested by this rule, which is purely Christian. And hence no doubt is the disposition which is felt by military men, to relieve those, who, for conscience sake cannot bear arms. Although they do not see the impropriety of war, as to themselves, yet they see the propriety of liberty of conscience. They know how dear, how interesting to the sincere christian, must be the enjoyment of an approving conscience, or rather the approbation of God; sealed on their consciencies—and they feel an aversion to laying the heavy hand of persecution on men, for the simple wish to obtain that approbation.

Still these liberal sentiments have not become as extensively diffused as they should be. The subject lies too much in the back ground,—I shall endeavor, from time to time, to bring it into view, and I repeat the declaration that it is far from my intention to give offence. My object is to call attention to abuses, some of which have been long sanctioned by usage, but they are not therefore the less objectionable. And in exposing these abuses to view, some things may be alluded to of an unpleasant nature, but I shall avoid personalities, and as much as possible, avoid giving offence to any.

The militia laws not being published with the other laws of the state, and only in the hands of officers, I have not yet had an opportunity of examining those at present in force, a few paragraphs excepted. But so far as I have examined, I think there are defects that ought not to be continued.

The militia law of last session authorises, and seems to enjoin, the collector to take double the fine and cost of collection. The law does not stand as a limitation of the seizure, but as doubling the fine. The collector may still go on beyond the double of the fine and costs—and seize property to any amount he pleases, and of a description extremely injurious to the sufferer, and what is the penalty? The agrieved person may recover, by action of debt, the *appraised value* of the property taken, deducting the fine and costs. And the *appraised value* may not be half the *real value* to the owner—But even if the *appraised value* should be the *real value*, still the agrieved person cannot be remunerated for his *real loss*—He gets nothing for the inconvenience or loss which he has sustained by the seizure of the property. He gets nothing to remunerate him for his loss of time and expense in recovering his just right, even where such seizure has been purely vexatious or malicious on the part of the officer.

Thus the law makes a distinction between the man who becomes a delinquent *without* acting on principle, and the man who acts purely on religious motives, and that distinction is altogether prejudicial to the latter. In the first place the man who refuses to muster, on conscientious scruples, it is well understood cannot consistently *pay* his fine, while the man who neglects what he considers militia *duty* will pay the fine assessed on him. On the latter the law assesses a certain fine, which perhaps may nominally seem to be low. To this fine, however, 20 per cent is to be added: and then on the conscientious man the amount is doubled, because he cannot pay it voluntarily. Why such a distinction should exist, bearing down with its whole weight on religious principle is difficult to conceive, especially in a country so generally professing religious obligation as the State of Ohio. It is also a fact well known, perhaps in every section of the United States that exorbitant seizures have been made. While the law ostensibly assesses \$1 on the conscientious man it actually fines him \$2 40 and the real suffering may be much more. It is well known that men have been put into such offices, who did not discover a very rigid adherence to correct principles—men of fine sensibilities, and nice feeling of honor, are found to revolt at the idea of distraining the comforts or necessities of life from their conscientious, and often indigent neighbors—hence it has sometimes, of necessity, fallen on men of an opposite character, to make those collections. Why then has no guard been placed around the rights of the unoffending, peaceable citizen? Why is he left at the mercy of men, who if they break down the barriers of conscience in themselves, have nothing to fear from the law—He takes double the amount of the fine and costs, under the very letter of the Law, and if he takes more, to any extent he pleases—he is liable to no *damages*, he is only to repay the surplus of the *appraised value*. And this is nothing to fear. While the agrieved person never can be remunerated, by the provisions of this law. He loses the difference between the *real* and *appraised value* of his property. He loses the use of it. And this under certain circumstances may be more than the property itself, (a plough for instance just in seeding time, the farmer not having it in his power to replace it.) He loses his own time in prosecuting the suit for the recovery of his right. He loses all the expenses which he may incur in these proceedings, which can-

not be included in legal costs, and every body knows that there will be such expenses, and *they* frequently heavy.

Our legislators should reflect on these things. They should recollect that if they sincerely believe that *war* is justifiable and proper, that there are many of their fellow citizens who as sincerely believe that it is not. They should recollect that there are many religious principles which *they* would by no means be willing to violate, firmly believing that such violation of, or departure from principle would be offensive to God—Can they not readily place themselves in the situation of others? Can they not suppose that *we* who believe in the unlawfulness of war, are as sincere in our desire to please God, as *they* are? And do they not suppose that he will view with approbation, this earnest solicitude to please him? If so, whatever may be their abstract opinions on the question involved,) how can they reconcile to themselves, the idea of laying the iron hand of persecution on their fellow men, for actions that are drawing down the approbation of Heaven? I hazard nothing in saying, that if a man, brought into a state of mind, to approach the throne of Grace, should be arrested with the conviction of having been an agent in persecuting men for their sincerity to God, such a conviction would be like driving the harrow over his feelings.

If am not misinformed, there is, in the law of last session another provision that bears on men of conscience, I allude to that clause which authorises the Colo. to nominate a collector out of the commissioned officers of the regiment, but, as already remarked, I have not had an opportunity of perusing the law. The fact had been clearly ascertained that men of honor, and fine feeling were un-

willing to take on themselves the drudgery of tearing the milch cows, and bed clothes from the families of their conscientious neighbors—and the business had become odious. To compel the commissioned officers of a regiment, under heavy penalties, to enter into this odious business—to compel them to silence the convictions of their own consciencies, or pay fines which their circumstances forbid, is certainly pulling hard to drag on a heavy burden; and I leave it to those who should judge, to decide how far the dignity of *principle*, and the respect for virtue, are let down in these proceedings.

I entreat the officers of government, both civil and military, to attribute the freedom of my remarks to the high sense which I have of the dignity of the cause which I am engaged to; support. The duties we owe to God and to one another, shrink before no human titles or distinctions. I make full allowances for those who think differently from me, though I am a suffer in consequence of that difference. And if I speak in *plain* terms it is only to fix their attention to the subject, being fully persuaded that much difference of opinion, altercation, animosities, and unhappiness, exist, among men, for the want of reflection, which would enable them to see things in the same point of view.

For myself, I can acknowledge that my own share of the suffering incident to the support of the principles of peace, bears no weight in my mind when compared to the magnitude of the principle. When I reflect on the miseries, the horrors and the crimes inseparable from *war*, the monstrous mass of ruin it has heaped on the human race, I am willing to do, or to suffer, any thing for which I may be furnished with ability, if, in so doing, I may, in any degree, be made instrumen-



tal in exposing the turpitude of the war system.

I have this day suffered a distraint of my property for muster-fines. The amount, to be sure, was not large, but I had nothing to spare. The collector added 20 per cent to the fine, and then doubled the amount, to ascertain the amount to which he was to distraint.

Having mentioned the collector, it is due to him to state, that he seemed disposed to be favorable. He informed me too, that he was one on whom the unpleasant business had been imposed by his superior officer, under the provisions of the late law, and of course was compelled to collect, or pay a fine.

But to return: the fine & costs were doubled, and the amount taken as nearly as the officer could come at it.

And now, I would ask, what is the object of this fine? Is it to raise revenue on my conscience, like the imposts laid on merchandize? or is it to make me a soldier? No man of intelligence will say it is for revenue. And who would suppose that the dictates of conscience, could be, or ought to be, stifled by such measures? The religion of Jesus Christ is above coercion, and man, in attempting to coerce it, but fights against God. For my own part, so far as this occurrence has had any effect on my mind, in relation to the merits of the question, it has strengthened the conviction, that the war system, with its coercions, and its butcheries, is wrong. I see that it rests on the principle of force. I see that it is at war with my best christian feelings. I see and feel, that I am despoiled of my property, because I refuse to do an act, that would be productive of no possible good, but, on the contrary, would forfeit, on my part, the happiness or an approving conscience.

The Officers of government know that we act on principle, and therefore we will submit to the consequences of the

law. So fully convinced of this are many of the military officers, that they do not even give themselves the trouble of making their proceedings *legal*. The fine which was this day levied on my property was not *legal*.

And this is so generally the case, that I doubt whether there has been, for years, one single fine collected *legally* in the state of Ohio. But we submit.—Some glaring departures from the law have been, or may be, resisted—but we prefer to appeal to the consciences of our religious fellow citizens, than to the law.

—We see the law intends we should suffer—yes the Law, that should guard and protect our persons, our property, and above all, our liberty to serve God, as it shall please him to direct our understandings, has decided that we shall suffer. And not only that we should suffer for non-performance of military exercises, but that we should suffer just double as much for serving God, in this non-performance, as if we were serving mammon in the very same thing! We then, instead of appealing to the Law, appeal to the witness for God in the consciences of all men. There is in the human mind a principle—a power of conviction, that will sometimes arise in its own Divine Majesty, when the pride of opinion and the force of prejudice will shrink before it. To this principle we appeal. But we commit our cause and ourselves, to the care of a gracious and all powerful Providence

There is not perhaps in our whole civil jurisprudence, so much opportunity afforded for irregular, and even fraudulent proceedings, as there is, in the collection and appropriation of militia fines.

I do not mean to apply this remark to one particular district, or even state, but I make it on the broad grounds, without the fear of contradiction.

When an enquiry was instituted in

congress, last session, into the conduct of military requisitions. Fines torn of collectors of militia fines which occurred in Pennsylvania during the last war, what was the result?—The enquiry was perhaps the first that was ever made by that body, and no doubt was totally unlooked for.—It was however discovered that THOUSANDS of dollars had been wrested from honest, industrious citizens of Pennsylvania, and never accounted for, but retained in the hands of officers! Honest men, stripped of their property and perhaps ruined—to fill the pockets of unprincipled individuals!

What was done on the large scale in Pennsylvania, immediately subsequent to the war, is done, from year to year in a smaller way, but not less repugnant to every principle of fair dealing. Instances are numerous in which abuses are committed by collectors—abuses in unreasonable restraints—unlawful sales—making sales and never accounting for the money—and sometimes not only applying the money thus obtained to their individual use, but neglecting to give credit to the person on whose property the restraint was made, and thus let him fall into the hands of another collector.

And even when paid over as the law directs, the application ought to be seriously compared with the manner in which it is obtained. David, though a warrior, though accustomed to shed blood in abundance, when once suffering with thirst, and craving the water from a particular spring,—refused to drink that water, because his men had broken through the lines of the enemy to obtain it; and he therefore considered it the price of blood. How then can a military officer, of nice feelings, feast luxuriously on the price of conscience? The expenses of the board, if I am correctly informed, are defrayed out of the fines collected for non-performance

of military requisitions. Fines torn from the honest, industrious, and frequently poor citizen, for conscience sake, would not relish well in the feasts of men possessed of feelings like those of the Psalmist.

And this perhaps is the sole *legitimate* object, to which such fines are ever applied. That a large proportion of those fines stop in the hands of those who collect them, will not be denied. That another portion goes to the discharge of the expenses of the board, collected in part to assess these very fines, is equally true. And if there is any other *valuable* purpose answered with these fines, those only know, who have a better opportunity than I have.

But all this as it relates to the *legal* application, is not dependent on particular depravity of feelings—like the practice of war itself, it is under the influence of Custom, and men become reconciled to it, because it has been done before.

The sufferers quietly submit to the *Law*. But should their passive, unoffending manner, be the cause of accumulated sufferings? ought it not to be a powerful, though silent appeal to the honorable feelings of those who are placed in authority? Ought they not as rigidly to enquire into the conduct of subordinate officers, as if they were sure of an exposure of the whole business?

I conceive the legislature is solemnly called upon to investigate the subject, with calm, religious impartiality. On such an investigation they would find much injury inflicted on a large and useful portion of our citizens. An injury not temporary in its nature, but permanent, from year to year—They will find that a large portion of the suffering and pecuniary distress thus occasioned, goes merely into private hands, and the balance to defray ex-

penses, a large portion of which is incurred in laying the fines themselves.

Thus the government is not benefited. The military officers will all acknowledge that *they* are not benefitted. The collectors are not benefitted even when they retain the fines in their own hands for we have never known one to prosper in such ill-gotten gains. Where then shall we find a benefit? It cannot be found. But we can find injuries in plenty. The individuals whose property is thus wasted from year to year, are injured. The collectors are injured in a moral, and frequently in a pecuniary point of view. I will leave the officers of the different regiments to judge, when they look back, if they are not injured, in leaving their homes, their avocations and domestic concerns, to lay fines on their neighbors in a case purely conscientious? The government is injured through the injury done to peaceable & industrious citizens, for whatever injures the people, injures the state at the same time.

Without increasing the military strength of the state, either as to numbers or skill in tactics—without increasing the revenue of the state—without producing a benefit to a solitary individual, our government sanctions, and perpetuates a system, extremely oppressive on those who are its victims, and often, too often, demoralizing to those who are the active agents in it.

These ideas are not confined to those who believe in the unlawfulness of war. They are held by military officers of the highest standing. Men of this character have not only been sensible of the hard case of those who refuse to bear arms, from motives of conscience, but they contend that the whole militia system is ineffectual.

That it answers no valuable purpose in teaching the science of war. That it injures the community by the waste of time in attending them, and very extensively promotes immorality, by the incitements to intemperance and dissipation which are offered at the musters enjoined by law.

The day, we might expect, has arrived, in which *custom* is not so powerful in its tyranny, as to perpetuate practices which are not only incapable of producing a single benefit, but at the same time are pregnant with evils of the most serious nature. A system not only oppressive on the property of individuals, but hazardous to the morals of those who comply with it, and proclaims war with the consciences of those who do not.—That holds out inducements to men devoid of principle—and temptations of various kinds to those not yet corrupted, and bids the man of religious feelings, cast off his scruples, and dispise the law of God.

Such is the militia system. Futile and contemptible in the estimation of military men: demoralizing to those who conform to it, and oppressive to those who conscientiously cannot.

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#### FOR THE MORAL ADVOCATE.

WAR; never in the primitive church; of Pagan origin; and introduced thro' the apostacy. Proposing also to introduce, in a future number, convincing evidence that *war* has never existed in the christian church.

It is impossible for us to decide when war originated; but it is evident from the history of the world, that the Devil waged war with the happiness of man, in the garden of Eden. We have but little knowledge of its progress, until about the time of the



deliverance of Israel from Egyptian bondage: when the world of men seemed to have become a world of warriors; and so continued until the advent of Messiah, the "Prince of Peace." Those who are familiarly acquainted with the New Testament, must be assured, that in precepts and in life, He was opposed to war: and it is equally evident that his disciples and apostles, with all their converts, as far down as scripture history traces them, were all averse to war. Other history corroborates this fact, and leads the enquiring mind down to the great apostacy of the church.

It may be asserted as an incontrovertible fact, that during the two first centuries of the Christian Era, the Christian could not be induced by flattery or force to take any part in war. It is essentially necessary, as prompting the inquisitive mind to desires of a right understanding of this subject, that this point should be established. As the natural result of such conviction, the enquiry will be made, *how were christians at first made warriors?*

Defection in the church commenced very early, but was slow in its progress. The blessed Saviour foreseeing this, said "the prince of this world cometh, and hath nothing in me." And the apostle, "Evil men and seducers shall wax worse and worse, deceiving & being deceived." The address to the seven churches in the Revelations, clearly imports considerable defection from their original purity. The christians were gradually assimilating to those people with whom they were intermixed; embracing their manners and customs: but maintaining their adherence to the principle of non-resistance. Although it cannot be ascertained when they first took the sword, yet it is admitted or asserted, by historians, that they were not warriors, as a body, until some time in the fourth century; when they were incorporated

ed into the Roman government under Constantine. They had passed thro' many violent persecutions under the edicts of pagan kings and emperors; but notwithstanding the severity of their sufferings, their numbers had astonishingly increased. It is well known that the Romans were a war-like people; they must therefore have been desirous of the aid of the christians; and we have only to advert to the condition of some parts of our own country at the present time, for an illustration of *their* feelings on this subject. They had long, and in vain tried coercive measures for the annihilation of the *principle* of non-resistance, which never shines brighter than in the furnace: looking with pity and compassion at the puny efforts of mortals to shake their allegiance to their Saviour, and their confidence in God. The early christians were well instructed in the doctrines of the gospel, and through obedience to the command of Christ "fear not him who can kill the body," "but rather fear him who can cast both soul and body into hell;" feeling the "love of God shed abroad in their hearts," and his power in dominion, as a shield to their souls; they were undaunted in suffering: their treasures were in heaven. Their unshaken faith and invincible fortitude; evincing an inward support of soul, that neither the sword nor the flames could reach, astonished beholders, & convinced them that "the gospel of Christ" was "the power of God." Thus, under the dark shades of heathen character, the impressions of the love of Christ were deeply and permanently made. In this manner multitudes were converted to Christianity in the early ages of the church; and when urged to take the sword, their reply was, "*I am a Christian, & cannot fight.*"

This was not, however, the only cause of persecution: the christians were bold in their testimonies against idolatrous worship: in these two

points, they exasperated both those who controuled the sword and those that served the altar.

The pagans held up to view many allurements in order to draw them from that foundation, which, as a rock, had sustained them against the winds and the storms. And to induce a compliance with their own wishes, by which they would gain an immense accession to their military strength. They at length succeeded, by a kind of compromise; the pagans to abolish *image worship*; and the christians to abandon the *principle of non-resistance*. We may draw some inferences respecting the overtures made them by Constantine from this remark of the historian, relative to that period: "to enter into the church was the sure road to wealth and preferment." The emperor, indeed, nominally embraced christianity; but it was as the snare of death to the christian cause. The christian name, as soon as it became popular, and *lucrative*, spread swiftly through the Roman empire; and its converts, then, as now, were clothed in the *habilliments of war*.

The christians had been gradually approximating to the pagan character; & the pure principles of the gospel with those primitive feelings of heavenly love; which constituted the foundation of the original church, were then completely abandoned, by the body of professors. A foundation was commenced by the ingenuity of Man, on which to erect a church, in the splendor and magnificence of the world. Renouncing *christian simplicity*, they introduced, or rather retained, many pagan customs, some of which have descended to us as a memorial of that fatal era. Hence the idolatrous names of the months, and days of the week, &c. &c.

*Anti-christ* then seated himself triumphantly upon the throne; and kings, and princes, and nobles, and all the people were permitted the

"honor" of doing homage at his footstool. Sitting "as God, in the temple of God," whether in the person of one or of many, he asserted his sovereignty; and every relick and vestige of pure christianity, was driven into the wilderness. Equally a *warrior*, as "a liar from the beginning," "transformed into an angel of light, the surplice, and the sword, were rendered subservient to his purposes.

"The prince of the power of the air," having obtained the dominion in the hearts of those who professed the christian name, they yet aspired supremely to their own aggrandizement; they commenced the sale of what they called the *gospel*; as, of an article of worldly commerce: so much preaching and praying, for so much money; and at length, so many sins pardoned for such an amount. The more effectually to carry this system into operation, commissions were granted by the ecclesiastical head, probably certifying to the inhabitants of the empire, that they were ministers of the gospel; under which they certainly amassed great wealth. A series of iniquity was then opening to the world, which will astonish future generations, if ever the church regains its primitive stations. The political and ecclesiastical heads, acted in concert; one issuing his commissions for the army, and the other for the church; bound together by the bonds of this world, and feeling a mutual dependence for the advancement of their ambitious schemes, the sword and the gospel were either, or both, or each alternately, used as stepping stools to their own exaltation. At length, however, the *ecclesiastical* having the name of *divinity*, a golden crucifix, and the most ample resources, was enabled to ascend the highest; & then claimed the sword as his own. I apprehend that in the whole process of time that is allotted to this world; there never was nor ever will be another character, so completely heterogeneous as this. With the supreme



controul of the armies of the empire, he was able to enforce obedience to all his mandates.

As "Christ's vicegerent on earth," his "holiness" demanded the adoration of his subjects; and claimed that his infalibility entitled him to unlimited confidence and obedience. In order to amuse and divert, and to impoverish the people to enrich himself, thereby completing their vassalage, he instituted a chain of sacraments, feasts, fasts, holidays, masses, oblations, and images; and instead of the "cross of Christ," by which the christians were "crucified to the world;" the figure of the cross on which He was crucified. Also, a number of *orders* in the priesthood; with monks and friars, acting as emissaries, with absolutions and prayers for souls in purgatory, for sale in all parts of his dominions. After a lapse of centuries, the Inquisition was invented, by one who has since been styled a *saint*; for the purpose of suppressing truth, and for extortion, under the pretext of punishing hereticks. It seems that the united ingenuity of all the evil spirits, could reach no further. They had used every possible effort for their own aggrandizement; and were then so depraved that they could behold with exultation the most excruciating tortures of their fellow mortals. The spirit of war was never evinced in the breast of man, in darker shades than in these. The popes held an undisputed dominion, about one thousand years.

Neither my limits, nor abilities, allow a statement of all the facts relative to this subject. But it is as true as any truth, that *war* did not exist in the primitive church; that it was subsequently derived from the heathen, and blended with the christian name; and transmitted down, as a part of the christian system, through a channel extremely polluted. Although the greatest part of papal customs and traditions were discarded in the re-

formation, yet that of war remains; and nations called *christian*, manifest a determination to perpetuate it. The **MILLENIUM** is loudly called for, but those who resist the principle of non-resistance, are jealous that even then, there will be war. The primitive church was in the millineum state; its restoration is therefore, all that we can desire. We can trace the bloody tracks of war back to the period of its fall; and to our astonishment, when we consider professions & practices; beyond that, we can only discover that peaceable spirit, that unites man to man, in the bonds of heavenly love. JUSTIN.

### WAR.

*Continued from page 16.*

It has already been brought into view, that when Peter acted the part of the soldier, he acted no part of the christian: and he receded from the one just in proportion as he advanced to the other character. His fighting character however did not last long. Jesus looked upon him, his sense of right and wrong returned—in deep repentance he lamented his defection, and he became remarkable, even among the Apostles, for his boldness, both in preaching, and suffering for the testimony of the Gospel. But never did he afterwards resort to the use of the sword, any more than to profane language. He ever after preserved the character of the Christian and not of the soldier.

From the time of the Resurrection of our Lord, down to the apostacy, the christians were totally averse to war, and could not be induced to engage in it. Various cruel attempts were made to coerce them, but in vain. The Roman authorities could make them martyrs, but not soldiers. But before I enter on a review of the conduct of the primitive christians, I shall advert to some passages of the old and new Testament, which have a direct bearing on the ques-

It is to be observed that the apostle Paul, speaking particularly of the son of the bond woman, and the son of promise. The former to be "cast out." By examining the characters of these two persons, it appears that Ishmael was a *warrior*. While Isaac was remarkable for being a man of peace. Though his rights were invaded by the Philistines, and his property taken by them, and though, from the number of his domestics, he might have resorted to force, to defend his property, (for Abimelech said "thou art much mightier than we") yet he patiently submitted. When the Philistines filled his wells, he dug other wells, and so he gave up repeatedly, removing from place to place, not only giving up his wells, but his place of abode also, to avoid contention. Yet he was blessed, and his wealth increased, no doubt more than if he had pursued an opposite course of conduct.

Thus while the son of promise, through whom the Messiah was to come, and who, in some respects was a type of the christian life, was a man of *Peace*, having never been engaged in military affairs, the son of the bond woman, representing a state of nature, was a *warrior*, and stood no doubt, pre-eminent among the heroes of that age.

Thus also the characters of Esau and Jacob afford some instruction. Esau was rough, both in his person and his manners, and no doubt, a military character, from the fear that Jacob felt on meeting him. Jacob on the other hand, was "smooth" and pacific in his manners. When his sons had acted precisely on the principles of the war policy, in a case of peculiar provocation, he disavowed the act, and censured them highly for their conduct. Not one single military act of Jacob's, is recorded in all the history of his life; except that expression in his conversation with Joseph, where he mentions giving to Joseph one portion above his brethren, which he took out of the land of the Amorite, with his sword and his bow—which is supposed to be merely prophetic. That the patriarch put one tense of the verb for another, in his conversation with Joseph, is very evident. The mention which he made of his approaching death, was in the present, though it was really in the future. And of the portion spoken of, as given to Joseph, it referred to the future, though it was expressed as done, a manner frequently observed in scripture, to denote *certainty*.

If we look still further back it will be observed, that though Abraham in the early part of his life, did bear arms, he never did, after he received that memorable promise, "In thy seed shall all the families of the earth be blessed, which alluded to the Messiah, the prince of Peace. From that time forward Abraham, as well as Isaac and Jacob, was a man of *peace*."

Pursuing the sacred History, we find that David, was disposed to build a temple to the Lord, and made large preparation for that purpose, but was forbid, on the very grounds of having been a warrior, and shed human blood. In this passage is clearly indicated the incompatibility of war, with the worship of God. The temple, under the legal dispensation, was not even to be built by a man who had taken part in wars, though his wars were generally by permission from the oracle. Still these wars withheld him from building an outward temple.—But under the Gospel Dispensation, every true christian is declared to be the temple of the living God. The outward temple was *rejected*, by the declaration "the most High dwelleth not in temples made with hands" but he will dwell in the hearts of true christians. How inconsistent then is it for those who should be Temples thus peculiarly preferred before that at Jerusalem, to be themselves men of war, shed human

blood, which sunk David so low, as to exclude him from building, that outward, rejected Temple!

It has already been observed that when the Gospel day was seen in prophetic vision, it was represented as peculiarly characterised with *peace*. Those ferocious dispositions which were metaphorically represented by the Lion, the tyger, the bear and the serpent, were to be changed; to become *harmless* and none to hurt or destroy—The nations it was declared who came under that happy influence, should beat their swords into ploughshares, their spears into pruning hooks, should not lift up sword against each other, neither learn war any more. But our governments seem determined that this prophecy shall not be fulfilled. And with all their might, with fines and penalties they are endeavoring to compel men "to learn war" who believe that they are subjects of that prophecy, as if its fulfilment were to be dreaded as a national calamity!

But to return. The promised Messiah came. And in his life and precepts, and in the example of his true followers, the prophecies respecting him and his peaceable kingdom have been, and still are in the act of fulfilment. When it shall please him, to cause his power and harmonizing influence to arise into dominion over all of a contrary nature, remains with his own secret councils. But though mankind, in the exercise of free agency, may cut off themselves from a participation of the blessings of his kingdom, though there may be, at some future day a more glorious prevalence of Gospel light and influence—though the powers of the earth combine to strew the path of the christian traveller with thorns, and obstruct his progress Heaven-ward, yet still the blessings of Christ's kingdom, as represented by the inspired prophets, and even beyond what eye hath seen, or ear heard, or the heart conceived, are placed within the

reach of every individual christian. To him it is given to rejoice in that day in which the ravenous and serpentine nature is no more permitted to exert its venom or its force—they can join when they please, the nations that do not lift up sword against nation, neither learn war any more.

### *The Laws of Nature.*

Self defence is said to be the first law of nature,—Retaliation is the second, Revenge the third, and Malice unprovoked the fourth.

Thou shalt love the Lord thy God with all thy heart, &c. is the first law of Grace.

And the second is like unto it, "thou shalt love thy neighbor as thyself."

If we set up the passions or propensities we find in our natures, as the Supreme laws for the regulation of our conduct, it is not difficult to foresee that we shall discard all religious obligation. all moral rectitude, and establish the most unmixed, unrestrained depravity, as the proper condition and character to be assumed by man.

But if in defining the Laws of Nature, we lay it down as a principle that the order designed by the Author of Nature, is the Supreme Law of Nature—then we must refer to revelation, or, in other words, to revealed religion, and this brings us to the Law of Grace.

It will not be pretended, when speaking of the Law of Nature, as a rule of human actions—that men are at liberty to indulge all those passions which are discovered in the brute creation. Nor those which we find in ourselves. There is not a passion or propensity we possess by nature, on which religion does not impose some restraint, or which is not to be brought under its supreme control. This also it is presumed will be admit-



ted. What then becomes of the Law of Nature? The God of Nature is the God of Grace. And grace is the highest display of his goodness, and nature is commanded to bow before it.

But let us examine the works of nature, to discover if we can, from that source, the designs of its supreme Author.

The quadrupeds, we readily admit, from their very formation, were designed as inhabitants of the earth. The winged tribes we say were designed to traverse the regions of the air—the finny tribe were adapted to the water. Aquatic birds are provided with membranes between their toes, to enable them to propel themselves in the water. They also have broad bills to collect their food with facility.—Birds of prey have talons, instead of web feet, and sharp crooked beaks, instead of broad bills. The ox, the horse, the sheep, &c. have teeth adapted to the mastication of grass and grain. The lion, the tiger, the dog, &c. have teeth for tearing animal food. Many of these animals have weapons of defence. The lion, tiger, cat, &c. have claws—the dog long teeth, the bull horns, the boar tusks. The horse defends himself with his heels. These are clear indications of their natures. We do not find the horse present his forehead to his adversary, nor the bull bite or kick him. We do not find the squirrel attempt to catch mice, nor the cat, to excavate a nut shell. The eagle does not present his breast to the wave, nor the goose pounce upon the hare to bear her off in her clumsy toes.

Should any of these things occur, we should not agree that the creatures in question acted according to the Laws of nature. Nor would our conclusions be different if we were to discover a horse

attempting to arm himself with a pair of bull's horns, or a goose to be sticking the eagle's claws to her toes—This would not be nature. It would be folly, worse than even a goose was ever guilty of.

Let us then turn our attention from these objects of the brute creation to man, as he stands in a state of nature.

We find his construction more beautiful and dignified, than any thing in animated nature. We find an intelligence and expression in his countenance, peculiar to himself. But we find no weapons, offensive or defensive. Not a trace in his whole frame that indicates him to be destructive to his species. His hands are not armed with talons like those of the lion or the eagle, his feet are not incrustated in hoofs like the horse. His mouth is not set with tusks. But he has, what none of these animals have. He has the power of speech, by which he can explain supposed injuries, he can plead for redress—by the power of his eloquence he can convince his opponent that is in the wrong, unknowingly so. Indeed there is not a passion of the human heart that he cannot move by the power of language. But what places him pre-eminently above the brute creation is not merely the beauty and dignity of his form, the faculty of speech, nor even reason itself, but the influence of Grace, that forms him into the image of God.

Contemplate the make and character of man, (as his creator designed him) and we find him an animal, adapted to the highest character he has ever attained. He is adapted to all the excellences to which he ever aspired—His body is fitted to be a reasoning, intelligent, religious and dignified being: not only holding conversation with past ages, but even with Heaven. And in his views

his feelings and habits preparing for an eternal inheritance there. But surely the natural philosopher, if he were not aware of the fact, would never, by analogy, be led to the conclusion that man, by nature was a *fighting* animal. There is not an indication of the kind in his whole frame. Examine the human hand. Its delicate structure; its texture, the long slender fingers involved in a wonderful net work of nerves, determines it to be a member designed for delicate feeling and for dextrous application to the arts. There is not in animated nature, a weapon like the human hand. And so we might go through the science of anatomy & physiology, & look in vain for an indication from nature that man was designed to take his rank among the ferocious beasts of the earth.

Where then is the argument in favor of war, drawn from the Laws of Nature? It is a phantom—a sophism, that has no existence in reality.

But even if it existed in its full force still there is an opposing argument of more force. The gospel dispensation was designed to raise us above a state of nature—from under the dominion of the dark and malevolent passions which infest the human heart, into a participation of the Divine nature—into the glorious liberty of the sons of God. It is not therefore the impulse of depraved nature, but the precepts of the Gospel that we are bound to obey.

Suppose we set up the laws of nature or in other words, its impulse, as correct motives of action, and where would it lead us. We should not stop at the first, second, or third of her sections. What is the excess, the outrage, the wrong that would not be practised? All laws, human and divine would be prostrated, and innocence and safety would vanish from the earth.

### The origin of Dueling.

The word duel signifies a single combat, at a time and place appointed in consequence of a challenge. This custom came originally from the northern nations, among whom it was usual to decide all controversies by arms. Both the accuser and accused gave pledges to the judges on their respective behalf, and the custom prevailed so far amongst the Germans, Danes, and Franks, that none were excused from it but women, sick people, cripples, and such as were under 21 years of age, or above 60. Even ecclesiastics, priests, and monks, were obliged to find champions to fight in their stead. The punishment of the vanquished was either death by hanging, or beheading, or mutilation of members, according to the circumstances of the case. Duels were first admitted, not only on criminal occasions, but on some civil ones, for the maintenance of rights to estates and the like. In latter times, however, before they were entirely abolished, they were restrained to these four cases: 1stly, that the crime should be capital; 2dly, that it should be certain the crime was perpetrated; 3dly, the accused must, by common fame, be supposed guilty;—and, 4thly, the matter not capable of proof by witnesses.

Duels at present are used for single combat on some private quarrel, and must be premeditated, otherwise it is called a *rencontre*. If a person is killed in a duel, both the principals and seconds are guilty, whether the seconds engage or not. It is also a very high offence to challenge a person either by word or letter, or to be the messenger of a challenge.

The general practice of dueling took its rise in the year 1527, at the breaking up of a treaty between the emperor Charles the Fifth and Francis the First. The former desired Francis' herald to acquaint his sovereign, that he would henceforth consider him, not only as a base violator of public faith, but as a stranger to the honor and integrity becoming a gentleman. Francis, too high-spirited to bear such an imputation, had recourse to an uncommon expedient to vindicate his character. He instantly sent back the herald with a cartel of defiance, in which he gave the Emperor the

lie in form, challenged him to single combat, requiring him to name the time and place of the encounter, and the weapons with which he choose to fight. Charles, as he was not inferior to his rival in spirit or bravery, readily accepted the challenge; but, after several messages concerning the arrangement of all the circumstances relative to the combat, accompanied with mutual reproaches bordering on the most indecent scurrility, all thoughts of this duel, more becoming the heroes of romance than the two greatest monarchs of their age, were entirely laid aside.

The example of two personages so illustrious, drew such general attention, and carried with it so much authority, that it had considerable influence in introducing an important change in manners over all Europe. Duels, as has already been observed, had been long permitted by the laws of the European nations; and, forming a part of their jurisprudence, were authorised by the magistrates on many occasions, as the most proper method of terminating questions with regard to property, or of deciding in those which regarded crimes. But single combats being considered as solemn appeals to the omniscience and justice of the Supreme Being, they were allowed only in public cases, according to the prescription of law, and carried on in a judicial form. Men accustomed to this manner of decision in courts of justice, were naturally led to apply it to personal and private quarrels. Duels, which at first could be appointed by the civil judge alone, were fought without the interposition of his authority, and in cases to which the laws did not extend. The transactions between Charles and Francis strongly countenanced this practice. Upon every affront or injury which seemed to touch his honour, a gentleman thought himself entitled to draw his sword, and to call on his adversary to make reparation. Such an opinion introduced among men of fierce courage, of high spirit, and of rude manners, where offence was often given, & revenge was always prompt, produced most fatal consequences.

This wicked and savage practice is an appeal to arms, not to prove the justice of a cause, but to obtain revenge

for a real or supposed injury, and to support a haughty spirit and false ideas of honour. The sending and accepting of a challenge to a duel, is a declaration of war in miniature. Let us imagine for instance, two blood thirsty ruffians upon the field of battle. Each one retires, and upon his knees supplicates the God of mercy to be propitious to his prayers, and enable him to destroy the life of his antagonist. In the engagement, one of them is slain, and his poor soul uncalled, and unprepared, is hurried into the presence of its maker! The survivor, stained with the blood of a brother, lifts his hands towards Heaven, and returns thanks and praises to the God of love, for granting him aid, as he supposes, to destroy his opponent.

This is a fair picture of all wars, with this difference.—Here the contending parties fight their own battle, and but one, or at most, two precious souls are dislodged; but one tender female is made a mournful and disconsolate widow; but one family of innocent and helpless children is bereaved of the necessary help and protection kind heaven intended in an affectionate father. In national wars, besides the immense destruction of valuable property, thousands, and frequently, tens of thousands, are precipitated into an awful eternity, leaving helpless widows, and fatherless children, many of whom drag out the remainder of their lives dependent on the cold hand of charity.

The rulers commence the quarrel, then compel their deluded subjects to fight, kill, and die, to end it. In war, as well as duels, both parties cannot be right, & it is presumed, since the battles of the children of Israel, all are wrong. Allowing these things to be correct, which the precepts of Jesus Christ will prove, what presumption, what mockery is it for men professing to be ministers of the Gospel, to insult the majesty of Heaven with petitions for their success, and thanks for having obtained a victory!

*Taylor's Antiquities.*

### *Dueling.*

What's honour, did your lordship say?  
My lord I humbly crave a day.—  
'Tis difficult, and in my mind,  
Like substance cannot be defin'd.



It deals in numerous externals  
 And is a legion of infernals;  
 Sometimes in riot and in play,  
 'Tis breaking of the Sabbath day;  
 We pay our debts in honour's cause;  
 Lost in the breaking of the laws:  
 'Tis for some selfish impious end,  
 To murder the sincerest friend;  
 But would you alter all the clan,  
 Turn out an honorable man;  
 Why take a pistol from the shelf,  
 And fight a duel with yourself.  
 'Twas on a time no matter when,  
 At Powels-hook, or Hoboken,  
 A Frog and Mouse had long disputes,  
 Held in the language of the brutes,  
 Who of a certain pool and pasture,  
 Should be the sovereign and the master.  
 "Sir," says the Frog, quite high in blood,  
 "I hold that my pretention's good;  
 "Nor can a brute of reason doubt it,  
 "For all that you can say about it,"  
 The mouse averse to be o'erpower'd  
 Gave him the lie, and called him coward;  
 Too hard for any Frog's digestion,  
 To have his Froghood call'd in question!  
 A bargain instantly was made,  
 No Mouse of honour could evade;  
 On the next morn as soon as light,  
 With desperate bulrushes to fight:  
 The morning came—and man to man,  
 The grand monomachy began:  
 Need I recount how each bravado,  
 Shone in montant and passado?  
 To what a height their ire they carri'd  
 How oft they thrust'd and they parry'd?  
 But as the champions kept dispensing,  
 Finesses in the art of fencing,  
 A furious Vulture took upon her,  
 Quick to decide this point of honour,  
 And lawyer-like, to make an end on't,  
 Devour'd both plaintiff and defendant;  
 Thus often in our favorite nation,  
 (I speak by way of application.)  
 A lie direct to some hot youth,  
 The giving which perhaps was truth,  
 The treading on a high one's toe,  
 Or dealing impudence a blow,  
 Disputes in politics and law,  
 About a feather or a straw;  
 A thousand trifles not worth naming,  
 In courting, jockeying, and gaming,  
 May cause a challenge's indicting,  
 And set two foolish men a fighting;  
 Mean while the father of despair,  
 The prince of vanity and air,  
 His quarry, like a hawk discov'ring,

O'er their devoted heads hangs hov'ring,  
 Secure to get in his tuition,  
 These volunteers for black perdition.

ib.

### Variety.

The efficacy of capital punishments, in England, in respect to the point of example for the people, may be well judged of by the following article contained in the London Courier of 5th mo. 6th.

#### Execution at Ilchester.

Four criminals—an immense concourse of spectators—they died in an edifying manner. The conduct of the spectators, who came from all parts of the country to witness the execution, was disgraceful in the extreme: their noisy mirth would have induced a stranger to imagine a public rejoicing, instead of a mournful solemnity.

#### A Duel.

The following is a postscript of a letter received in the city of New York, from Augusta, Geo. dated May 30. The provocation was so great, that we presume the challenger felt his honor greatly tarnished.

"P. S.—Day before yesterday in the morning, a duel was fought on the opposite side of the river in S. C. between a couple of young men from Milledgeville, lawyers by profession, by the names of Hepburn & Howard, the former of which fell, mortally wounded, and expired the next morning. The cause of the duel originated in some disrespect or insult from Howard towards a young lady at a public ball; which was nothing more than to give or withdraw his hand from the lady in performing some part of a cotillion where it was necessary their hands should be connected, which Howard asserts was in retaliation for the same insult put upon him by the lady in the same way a few moments previous. The lady being a partner to Hepburn, he

resented the supposed insult, challenged Howard, fought and fell.

### *Duelling in England.*

Great men in the United States, it would seem are invested with the privilege of violating the laws with impunity. Not so in Great Britain, where *privileged* orders are allowed by the constitution of the realm. The earl of Westmeath, who had sent a letter *tending* to provoke a challenge to a duel, has recently been sentenced by the court of king's bench, in England, to three months' imprisonment, and required, at the expiration of that time to enter into recognizances, to keep the peace for three years. His lordship was marched off to prison in charge of a tipstaff.

The Salem Register mentions a report of a duel having taken place in the neighborhood of that town between two gallants, who resolved to blow each other's brains out because they could not both marry one girl. They had two meetings. At the first they fought with muskets, at four paces, but neither shot took effect. At the second meeting, one of the *seconds* fell, in consequence of a mis directed fire, occasioned by the tripudiation of one of the *principles*! A few more such duels we think would put an end to the practice, as the *seconds*, no matter how willing that their friends should fall, would hardly encounter the risk of falling themselves.

N. Y. Spectator.

*Extract from a letter of an officer attached to the U. S. ship Franklin, received by a friend in Philadelphia.*

"We have on board a Mr. Kennedy, who formerly belonged to the U. S. Marine Corps. He resigned, and came out to this country with the unfortunate Gen. Carrera, who was well known in the United States.

"In a battle fought some months since, Gen. Carrera was taken prisoner, shot, and quartered. Mr. K.

was taken at the same time, and would have suffered the fate of his General, had he not received in the action a musket ball, which entered his left and passed out of his right eye. He had the rank of captain in the service of Carrera. He arrived here totally destitute of every thing, and all that he has received for his long services is the loss of both eyes. He will return to the United States in the frigate Constellation."

The fond anticipations of many a military adventurer, have ended as disastrous as those of Carrera or Kennedy. Indeed we might say (figuratively) that many have lost their eyes *before* they engaged in such enterprises, or they would never have done it.

### *Extracts from the Complaint of Peace.*

God made man unarmed; but anger and revenge have mended the work of God, and furnished his hands with weapons invented in hell. Christians attack christians with engines of destruction, fabricated by the devil. A cannon, a mortar, no human being could have devised them originally, they must have been suggested by the evil one. Nature, indeed, has armed lions with teeth and claws, and bulls with horns; but whoever saw them go in bodies to use their arms for mutual destruction? What man ever saw so small a number as even ten lions congregated to fight ten bulls, and drawn up in battle array? But, how often have twenty thousand christians met an equal number on the same plain, all prepared to shoot each other through the heart, or to plunge the sword or bayonet through each other's bowels.

The law of Kentucky, imposing a fine on the Shakers for not attending ordinary musters, is decided to be unconstitutional, as the religious tenets of that society forbid them bearing arms.